

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: LOCKHART CHEMICAL COMPANY,

Bankruptcy No.: 22-22005-CMB

Debtor,

Chapter 7

NATALIE LUTZ CARDIELLO,
CHAPTER 7 TRUSTEE FOR LOCKHART
CHEMICAL COMPANY,

Related to: Document No. 100

Movant,

v.

NO RESPONDENT.

ORDER EMPLOYING PROFESSIONAL NUNC PRO TUNC

AND NOW, this 20th day of March, 2023, upon consideration of the Application for Approval of Professional, it is **ORDERED, ADJUDGED** and **DECREED** as follows:

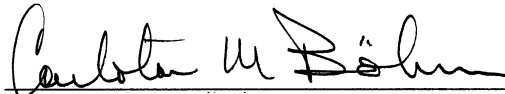
(1) NTH Consultants, Ltd., with an office address of 41780 Six Mile Rd., Suite 200, Northville, MI 48168, is hereby appointed, as of the date of the filing of the Bankruptcy Case, as Professional for the Estate/Trustee pursuant to the terms (including compensation terms) described in the Motion for the limited purpose of acting as the Environmental Consultant in connection with the interest of the Estate/Trustee. The consulting services to be provided to the Estate/Trustee include, but are not limited to, the following: (a) support for activities associated with operations of the Debtor related to compliance with environmental regulations; (b) providing coordination and advise concerning environmental testing, reporting and engineering requirements related to restoration and maintenance of the Debtor's sanitary discharge permit and off-site water disposal; (c) providing environmental services associated with the sale and disposal of existing waste materials; (d) providing services to assist and monitoring of storage tanks during materials transfer, as needed/requested by Estate/Trustee; (e) providing advice regarding compliance with both state and federal environmental statutes, regulations, ordinances and orders; (f) providing advice, management and coordination associated with stormwater management and air monitoring report; (g) providing advice and participating in discussions with both state and federal regulators concerning environmental matters; and (h) preparing and submitting management plans to state and federal environmental agencies to assist the Debtor with materials management during operations, and assisting the Debtor with compliance of pertinent environmental regulations during the pendency of this Case.

(2) Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based not only on the amount involved and the results accomplished, but other factors as well including: the time and labor reasonably required by counsel, the novelty and difficulty of the issues presented, the skill requisite to perform the legal service properly, the preclusion of other employment due to acceptance of this case, the customary fee, whether the fee is fixed or contingent, the time limitations imposed by the client or the circumstances, the experience, reputation and ability of the attorneys involved, the undesirability of the case, the nature and length of the professional relationship with the client, and, awards in similar cases.

(3) Approval of any motion ~~for appointment of counsel~~ in which certain hourly rates/compensation terms are stated for various professionals is not an agreement by the Court to allow fees at the requested hourly rates or compensation terms and is not a preapproval of compensation pursuant to 11 U.S.C. §328(a). Final compensation, awarded only after notice and hearing, may be more or less than the requested hourly rates/compensation terms based on application of the above-mentioned factors in granting approval by Court Order. **Any retainer paid to the Professional is unaffected by this Order and remains property of the Estate until further order of Court.**

(4) Notwithstanding anything to the contrary in the letter of engagement or agreement between Movant and the Professional, this Order does not authorize the Professional to retain or pay any outside counsel or other professional to assist the Professional in this matter unless such is done at no expense to Movant, directly or indirectly. Any other retention of and payment to an outside counsel or other professional is subject to prior approval of the Court.

By the Court:



Carlota Böhm, Judge
United States Bankruptcy Court

FILED
3/20/23 3:02 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Lockhart Chemical Company
Debtor

Case No. 22-22005-CMB
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 20, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 22, 2023:

Recip ID	Recipient Name and Address
db	+ Lockhart Chemical Company, 8150 Perry Highway, Suite 307, Pittsburgh, PA 15237-5232

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 22, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 20, 2023 at the address(es) listed below:

Name	Email Address
Arthur Osueke	on behalf of Creditor Pension Benefit Guaranty Corporation osueke.arthur@pbgc.gov
Catherine Beideman Heitzenrater	on behalf of Creditor CHUBB COMPANIES cheitzenrater@duanemorris.com
David L. Fuchs	on behalf of Trustee Natalie Lutz Cardiello dfuchs@fuchslawoffice.com 9924@notices.nextchapterbk.com
Ethan Draper	on behalf of Creditor Pension Benefit Guaranty Corporation draper.ethan@pbgc.gov
George W. Fitting	on behalf of Creditor American Refining Group Inc. gwfitting@duanemorris.com
Gwenyth S. Gamble Jarvi	on behalf of Debtor Lockhart Chemical Company ggamblejarvi@camlev.com

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Mar 20, 2023

Form ID: pdf900

Total Noticed: 1

hpenn@camlev.com;jboyle@camlev.com;kmonahan@camlev.com;tmatiasic@yahoo.com;candl@camlev.com

Jill Locnikar

on behalf of Interested Party United States of America jill.locnikar@usdoj.gov
patricia.fitzgerald@usdoj.gov;caseview.ecf@usdoj.gov;kassi.horton@usdoj.gov

Joseph N Kuptz

on behalf of Creditor City of Flint jkuptz@cityofflint.com

Kathryn L. Harrison

on behalf of Debtor Lockhart Chemical Company klh@camlev.com
jmb@camlev.com;hlp@camlev.com;candl@camlev.com;tmatiasic@yahoo.com;kmonahan@camlev.com

Keith David Underkoffler

on behalf of Creditor Michigan Department of Environment Great Lakes, and Energy underkofflerk@michigan.gov,
kepicc1@michigan.gov

Kenneth M. Argentieri

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Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Matthew Carmen Indrisano

on behalf of Interested Party United States of America matthew.indrisano@usdoj.gov

Megen E. Miller

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kepicc1@michigan.gov

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Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Paul J. Cordaro

on behalf of Debtor Lockhart Chemical Company pjc@camlev.com
candl@camlev.com;tmatiasic@yahoo.com;hlp@camlev.com;jmb@camlev.com;kmonahan@camlev.com

Stephen B. Grow

on behalf of Creditor Warner Norcross + Judd LLP sgrow@wnj.com hversteeg@wnj.com

William C. Price

on behalf of Creditor Neyer Tiseo & Hindo, Ltd. wprice@clarkhill.com, aporter@clarkhill.com

TOTAL: 20